

4-24-84

2b

M/S 533

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

APR 24 1984

Mr. Warren Bingham

(b) (6)

Re: Tentative Decision to Deny RCRA Permit and Terminate Interim Status for  
Arrcom, Incorporated-EPA Identification No. IDD000800961

Dear Mr. Bingham:

This letter is to notify you of the Environmental Protection Agency's (EPA) tentative decision to deny the Resource Conservation and Recovery Act (RCRA) permit and terminate interim status at the above facility. The basis for this action is that you failed to submit a RCRA Part B permit application by November 1, 1983, as required by a Complaint and Compliance Order signed by EPA on April 27, 1983. Your failure to submit the required Part B application is grounds for termination of interim status under 40 CFR Part 270.10(e)(5). The full background and basis for this action is covered in the enclosed Statement of Basis.

This action constitutes final administrative disposition of your RCRA permit, therefore, EPA must follow the public participation requirements of 40 CFR Part 124. A public notice is tentatively scheduled to be issued on May 18, 1984. A copy of the public notice is enclosed for your information. The comment period on this public notice will be open for 45 days. If EPA receives written opposition to this action at your facility and written request for a public hearing, a hearing will be scheduled. You will be notified in the event of a public hearing.

Once this action becomes final, your authority to operate the above-referenced facility as a hazardous waste storage, treatment and/or disposal facility will be terminated. Please contact Nancy Karanicolas, RCRA Compliance and Permits Section, U.S. EPA Region 10, at (206) 442-2806, if you have any questions regarding this matter.

Sincerely,

cc: Daryl Koch, Idaho

Department of Health & Welfare  
Steve Provant, Idaho Operations  
Office

/s/ Alexandra B. Smith

Alexandra B. Smith, Director  
Air & Waste Management Division

Revised:WMB:KFeigner:vt:4/10/84 CONCURRENCE

Steven Navaretta, Esq.  
Seattle Tower, 13th floor  
Seattle, Washington 98101  
(Attorney for Warren Bingham)

SYMBOL	WMB	WMB	WMB	ORC
SURNAME	Brown	Hofer	Feigner	
DATE				

USEPA RCRA



3009262



M/S 533

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

REVISED

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(b) (6)

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Sincerely,

cc: Daryl Koch, Idaho  
Department of Health & Welfare  
Steve Provant, Idaho Operations  
Office

Alexandra B. Smith, Director  
Air & Waste Management Division

WMB:NKaranicolas:vt:3/30/84:20826 REFERENCES

SYMBOL	Enclosures						
SURNAME	WMB Brown	WMB Hofer	WMB Feigner	ORC GARRIN			
DATE	4/13	4/10	4/10	4/19			



P15 3403532

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO

WARREN BINGHAM

STREET AND NO.

(b) (6)

P.O.

POSTAGE

\$

CERTIFIED FEE

¢

CONSULT POSTMASTER FOR FEES

OPTIONAL SERVICES

RETURN RECEIPT SERVICE

SPECIAL DELIVERY

¢

RESTRICTED DELIVERY

¢

SHOW TO WHOM AND  
DATE DELIVERED

¢

SHOW TO WHOM, DATE,  
AND ADDRESS OF  
DELIVERY

¢

SHOW TO WHOM AND DATE  
DELIVERED WITH RESTRICTED  
DELIVERY

¢

SHOW TO WHOM, DATE AND  
ADDRESS OF DELIVERY WITH  
RESTRICTED DELIVERY

¢

TOTAL POSTAGE AND FEES

\$

POSTMARK OR DATE

MAY 24 1984



M/S 533

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

APR 24 1984

Mr. George Drexler  
 Registered Agent  
 Arrcom, Incorporated  
 Federal Correction Institution  
 3901 Klein Boulevard  
 Lompoc, California 93436

Re: Tentative Decision to Deny RCRA Permit and Terminate Interim Status for  
 Arrcom, Incorporated-EPA Identification No. IDD000800961

Dear Mr. Drexler:

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Sincerely,

cc: Daryl Koch, Idaho  
 Department of Health & Welfare  
 Steve Provant, Idaho Operations  
 Office

/s/ Alexandra B. Smith  
 Revised: WMB:KFeigner:vt:4/10/84

WMB:NKaranicolas:vt:3/30/84:2082 CONCURRENCES

SYMBOL	Alexandra B. Smith, Director					
SURNAME	WMB & Waste Management Division	WMB	WMB	WMB	WMB	WMB
DATE	Brown Hofer Feigner					
	Enclosures					



M/S 533

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Registered Agent  
Arrcom, Incorporated  
Federal Correction Institution  
3901 Klein Boulevard  
Lompoc, California 93436

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Sincerely,

cc: Daryl Koch, Idaho  
Department of Health & Welfare  
Steve Provant, Idaho Operations  
Office

WMB:NKaranicolas:vt:3/30/84:2082G

Alexandra B. Smith, Director

CONCURRENCES

SYMBOL	Air & Waste Management Division	WMB	WMB	WMB			
SURNAME	Brown	Insuretofer	Feigner				
DATE	4/19/84						



P15 3403533

# RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO				
GEORGE DREXLER				
STREET AND NO.				
3901 KLEIN BLVD				
P.O., STATE AND ZIP CODE				
CA 93434				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		¢	
	OPTIONAL SERVICES	SPECIAL DELIVERY	¢	
		RESTRICTED DELIVERY	¢	
		RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
			SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
			SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢	
TOTAL POSTAGE AND FEES			\$	
POSTMARK OR DATE				
MAY 24 1984				



U.S. Environmental Protection Agency  
Region 10  
Seattle, Washington

STATEMENT OF BASIS

Proposed Action: Termination of Interim Status and Permit Denial under the Resource Conservation and Recovery Act (RCRA)

Facility Name: Arrcom, Incorporated

EPA ID No.: IDD000800961

Facility Owner: Warren Bingham

Facility Location: 5 miles East of Stateline, Highway 53,  
Rathdrum, Idaho 83858

Basis for Proposed Action

Arrcom, Incorporated submitted a Part A RCRA permit application on November 17, 1980, and initially qualified for interim status under RCRA as a hazardous waste storage and treatment facility. On June 20, 1982, an inspection conducted by the Environmental Protection Agency (EPA) at the facility found that hazardous waste or hazardous waste constituents had been spilled and/or disposed of onsite.

An EPA Complaint and Compliance Order issued on April 27, 1983, required Arrcom, Incorporated to, among other requirements, submit a Part B RCRA permit application within 180 days of their receipt of the Order. On May 27, 1983, the facility owner submitted a letter to the EPA stating that the facility was not to be used for the handling of hazardous waste in the future. The letter also clarified the intention of the facility owner not to submit a RCRA application. In fact, to date, the EPA has not received a Part B RCRA permit application for the facility. Therefore, in accordance with 40 CFR 270.10(e)(5) EPA is proposing to deny the RCRA permit and terminate interim status at the facility.

The effect of this action, when final, will be to terminate the legal authority of Arrcom, Incorporated to conduct further storage, treatment and/or disposal of hazardous waste at this site.

Comment Period

Begins: May 18, 1984

Ends: July 2, 1984

All persons including the applicant, who wish to comment on the proposed action, must raise all ascertainable issues and submit all available arguments and factual grounds supporting their position by the end of the comment period. Comments should be sent to the U.S. Environmental Protection Agency, ATTENTION: Ms. Nancy Karanickolas, Compliance and Permits Section, M/S 533, 1200 Sixth Avenue, Seattle, Washington 98101.



Procedures for Requesting a Hearing

A public hearing will be held if EPA receives written notice of opposition to the proposed permit decision regarding this facility and a request for a hearing by the end of the comment period. Any request for a hearing shall be in writing and should state the nature of the issues proposed to be raised in the hearing. Requests for a hearing should be submitted to the U.S. Environmental Protection Agency, ATTENTION: Ms. Nancy Karanickolas, Compliance and Permits Section, M/S 533, 1200 Sixth Avenue, Seattle, Washington 98101.

Persons with questions may contact either Nancy Karanickolas, EPA Region 10 Office in Seattle, Washington at (206) 442-2806, or the EPA Idaho Operations Office in Boise, Idaho at (208) 334-1450.



PUBLIC NOTICE  
Notice of Intent to  
Terminate Interim Status  
Under the Resource Conservation and Recovery Act

The U.S. Environmental Protection Agency (EPA) hereby gives notice of intent to not issue a Resource Conservation and Recovery Act (RCRA) permit and to terminate interim status at the following facility:

Arrcom, Incorporated  
5 Miles East of Stateline, Highway 53  
Rathdrum, Idaho  
EPA Identification No. IDD000800961

Background Information

Arrcom, Incorporated originally notified EPA of onsite storage, treatment and/or disposal of hazardous waste. A Part A RCRA permit application was submitted for the facility on November 17, 1980, and the facility initially qualified for interim status under RCRA to store and treat ignitable hazardous waste and spent solvents.

On April 27, 1983, Arrcom, Incorporated was required by an EPA Complaint and Compliance Order to submit Part B of the RCRA permit application within 6 months. Arrcom, Incorporated has failed to submit the Part B application. On May 27, 1983, the facility owner submitted a letter to the EPA stating that the facility was not to be used for the handling of hazardous waste in the future. The letter also clarified the intention of the owner not to submit a RCRA permit application. Therefore, EPA is proposing to deny the RCRA permit and terminate Arrcom, Incorporated's ability to continue to handle hazardous waste under RCRA interim status. Failure to submit a Part B application on time is grounds for termination of RCRA interim status under 40 CFR 270.10(e)(5).

Once this action is final Arrcom, Incorporated will no longer be authorized to store, treat and/or dispose of hazardous waste at this facility.

Public Comment

Copies of background material and the basis for the proposed action are available for review at:

U.S. Environmental Protection Agency, Region 10  
Library - 12th Floor, Park Place Building  
1200 Sixth Avenue  
Seattle, Washington

U.S. Environmental Protection Agency  
Idaho Operations Office  
422 West Washington Street  
Boise, Idaho

Coeur d'Alene Public Library  
703 Lakeside  
Coeur d'Alene, Idaho



-2-

Rathdrum Public Library  
Main Street  
Rathdrum, Idaho

Interested persons are invited to submit written comments concerning the proposed permit denial and interim status termination for EPA's consideration. Public comments will be accepted for 45 days after the posting of this notice. Persons with questions may contact either Nancy Karanicolas of EPA's Regional Office in Seattle, Washington at (206) 442-2806, or the EPA Idaho Operations Office in Boise, Idaho (208) 334-1450.

A public hearing can be scheduled to discuss the proposed action if significant public interest is expressed. The decision as to whether there is significant public interest for holding the hearing will be based on the receipt of written notice of opposition and written request for a public hearing. Even if a hearing is not held, all written comments will be considered in making a final decision on this proposed action. Please send comments, requests for public hearing or written requests for copies of public notice documents to:

Regional Administrator  
U.S. Environmental Protection Agency, Region 10  
Attn: Nancy Karanicolas  
1200 Sixth Avenue, M/S 533  
Seattle, Washington 98101

Alexandra B. Smith, Director  
Air & Waste Management Division

May 18, 1984  
Date to be published

Revised:WMB:KFeigner:vt:4/10/84

WMB:NKaranicolas:vt:3/30/84:2082G

## CONCURRENCES

SYMBOL				See attached concurrences		
SURNAME						
DATE						



-2-

Rathdrum Public Library  
Main Street  
Rathdrum, Idaho

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1200 Sixth Avenue, M/S 533  
Seattle, Washington 98101

Alexandra B. Smith, Director  
Air & Waste Management Division

Date to be published

Revised: WMB:KFeigner:vt:4/10/84

WMB:NKaranicolas:vt:3/30/84:20826

CONCURRENCES

SYMBOL	WMB	WMB	WMB	WMB	ORC			
SURNAME	Brown	Hofer	Feigner	Findley				
DATE								



-2-

Rathdrum Public Library  
Main Street  
Rathdrum, Idaho

REVISED

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Seattle, Washington 98101

Alexandra B. Smith, Director  
Air & Waste Management Division

Date to be published

WMB:NKaranickolas:vt:3/30/84:2082G *trab*

## CONCURRENCES

SYMBOL	WMB	WMB	WMB	AWMD	ORC			
SURNAME	Brown	Hofer	Feigner	Findley				
DATE	<i>WMB</i>		<i>KB</i>					